

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
)  
Richard DEROSE et al. ) Group Art Unit: 1638  
)  
Continuation of Application )  
Serial No. 09/000,062, ) Examiner: O. Zaghmout  
filed May 29, 1998 )  
)  
Filed: December 21, 2001 )  
)  
For: ISOLATED DNA SEQUENCE )  
CAPABLE OF SERVING AS )  
REGULATORY ELEMENT IN A )  
CHIMERIC GENE WHICH CAN )  
BE USED FOR THE )  
TRANSFORMATION OF PLANTS)

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to examination of the subject application on the merits, please amend the above-identified application as follows:

**IN THE SPECIFICATION:**

Please replace the paragraph beginning at page 11, line 8, with the following:

-- **EXAMPLE 1:**

1. Production of an EPSPS fragment from Arabidopsis thaliana

a) two 20-mer oligonucleotides of respective sequences (SEQ ID NOS: 8 and 9):

5'-GCTCTGCTCATGTCTGCTCC-3'

5'-GCCCCGCCCTTGACAAAGAAA-3'